

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT CHARLOTTESVILLE, VA  
FILED  
JAN 29 2007

JOHN F. CORCORAN, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

SUSAN C. SABATINI,

) CASE NO. 4:03CV00009

Plaintiff

)

v.

) REPORT AND RECOMMENDATION

LINDA S. McMAHON,<sup>1</sup>

) By: B. Waugh Crigler

Acting Commissioner of Social Security,

U. S. Magistrate Judge

Defendant

)

The Commissioner having advised the court that she has no objection to an award of attorney fees to C. Cooper Geraty, Esq. in the amount of Six Thousand Eighty-Three and 25/100 Dollars (\$6,083.25) under § 206(b) of the Security Act, 42 U.S.C. § 406(b). Therefore, it is hereby

RECOMMENDED

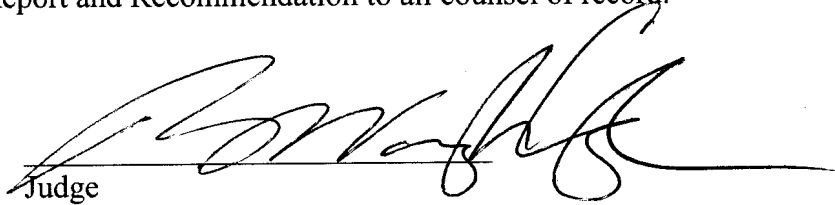
that an Order enter awarding counsel for plaintiff, C. Cooper Geraty, Esq. the sum of Six Thousand Eighty-Three and 25/100 Dollars (\$6,083.25) under § 206(b) of the Social Security Act, 42 U.S.C. 406(b).

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<sup>1</sup>On January 20, 2007, Linda S. McMahon became the Acting Commissioner of Social Security. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Linda S. McMahon should be substituted, therefore, for Commissioner Jo Anne B. Barnhart as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of Section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

The Clerk is directed to immediately transmit the record in this case to the presiding United States District Judge. Both sides are reminded that pursuant to Rule 72(b) they are entitled to note objections, if any they may have, to this Report and Recommendation within (10) days hereof. Any adjudication of fact or conclusion of law rendered herein by the undersigned not specifically objected to within the period prescribed by law may become conclusive upon the parties. Failure to file specific objections pursuant to 28 U.S.C. § 636(b)(1)(C) as to factual recitations or findings as well as to the conclusions reached by the undersigned may be construed by any reviewing court as a waiver of such objection. The Clerk is directed to send a certified copy of this Report and Recommendation to all counsel of record.

ENTERED:

  
Judge

1/29/07  
Date